

# PATENT COOPERATION TREATY

Rec'd PCT/PTO

06 APR 2005

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

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## PCT

WRITTEN OPINION  
(PCT Rule 66)

Date of mailing (day/month/year)	30.03.2004
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Applicant's or agent's file reference

SC, 044 - PCT

<b>REPLY DUE</b>	<b>within 3 month(s)</b> from the above date of mailing
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International application No. PCT/GB 03/04469	International filing date (day/month/year) 16.10.2003	Priority date (day/month/year) 17.10.2002 <sup>1</sup>
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International Patent Classification (IPC) or both national classification and IPC  
B07B1/46, B07B1/46

Applicant  
VARCO IP, INC. et al.

1. This written opinion is the **first** drawn up by this International Preliminary Examining Authority.

2. This opinion contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

3. The applicant is hereby **invited to reply** to this opinion.

**When?** See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).

**How?** By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

**Also:** For an additional opportunity to submit amendments, see Rule 66.4.  
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis.  
For an informal communication with the examiner, see Rule 66.6.

**If no reply is filed**, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is:

Name and mailing address of the international preliminary examining authority:



European Patent Office  
D-80298 Munich  
Tel. +49 89 2399 - 0 Tx: 523656 epmu d  
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Authorized Officer

Formalities officer (incl. extension of time limits)  
Kurzbaier, K  
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**I. Basis of the opinion**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed"*):

**Description, Pages**

1-31 as originally filed

**Claims, Numbers**

1-38 as originally filed

**Drawings, Sheets**

1/13-13/13 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

6. Additional observations, if necessary:

**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	1-4,14-17, 28,30,31,33,37,38
Inventive step (IS)	Claims	5-13,18-27,29,32,34-36
Industrial applicability (IA)	Claims	

**2. Citations and explanations****see separate sheet**

**Re Item V**

**Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. The nearest cited prior art documents appear to be WO-A-00/00264 and WO-A-01/76719 (hereinafter referred to as D1 and D2 respectively).

D1 as well D2 disclose a screen assembly comprising a panel and a support structure, the panel having an area provided with apertures and at least one layer of screening material arranged thereon (compare D1, figure 12 and D2, figure 1A).

Thus, the known apparatuses fulfil the requirements of claim 1 and therefore, the subject matter of claim 1 is not novel.

2. The features additionally claimed in dependent claims 2-4, 14-17, 28, 30, 31 are also already known from D1, compare D1, e.g. figures 10, 12 and 13 and page 5, line 2.
3. Independent claim 33 defines a shale shaker provided with a screen assembly according any of claims 1-32.

However, this is a straightforward normal use of the claimed screen assembly in a shale shaker as known e.g. from WO-A-96/33792 (cited in the description on page 1, line 24).

Since the subject matter of claim 1 is not novel, the subject matter of claim 33 is not novel either.

4. The features additionally claimed in dependent claim 34 are also already known from D1, compare e.g. D1, figure 13.
5. The method defined in independent claim 37 follows from D1; figure 13. Therefore, the subject matter of claim 37 is not novel.
6. The panel claimed in independent claim 38 is known from D1 and D2 for the same use as in the invention claimed in claim 1. Compare D1, figure 12 and D2,

figure 1A.

Since the subject matter of claim 1 is not novel, the subject matter of claim 38 is not novel either.

7. The features additionally specified in dependent claims 5-13, 18-27, 29, 32 and 35,36 are merely straightforward possibilities from which the skilled person would select, in accordance with circumstances, without the exercise of inventive skill, in order to solve the problem posed.